

# DAILY DIGEST

Vol. 18, No. 89

May 11,1999

\*\*Before an entry denotes that the item is part of the FCC's implementation of the 1996 Telecom Act. While we will attempt to flag all Telecom Act-related items, this marking is unofficial and informational only.

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## PUBLIC NOTICES

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Report No: 99-17. Released: May 11, 1999. PERMIT TO DELIVER PROGRAMS TO FOREIGN BROADCAST STATION. Internet URL:

[https://www.fcc.gov/Bureaus/International/Public\\_Notices/1999/pnin9086.wp](https://www.fcc.gov/Bureaus/International/Public_Notices/1999/pnin9086.wp)

Report No: 44484. Released: May 11, 1999. BROADCAST ACTIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Actions/ac990511.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Actions/ac990511.txt)

Report No: 24484. Released: May 11, 1999. BROADCAST APPLICATIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/ap990511.txt](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/ap990511.txt)

Report No: 24484A. Released: May 11, 1999. BROADCAST APPLICATIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Brdcst\\_Applications/pnmm9074.wp](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Brdcst_Applications/pnmm9074.wp)

Report No: 93. Released: May 11, 1999. INSTRUCTIONAL TV FIXED SERVICE ACTIONS. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/ITFS\\_Notices/pnmm9075.html](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/ITFS_Notices/pnmm9075.html)

Report No: 97. Released: May 11, 1999. INSTRUCTIONAL TV FIXED SERVICE APPLICATIONS/AMENDMENTS TENDERED FOR FILING. Internet URL:

[https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/ITFS\\_Notices/pnmm9076.html](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/ITFS_Notices/pnmm9076.html)

Released: May 11, 1999. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILINGS IN PERMIT-BUT-DISCLOSE PROCEEDINGS.Contact: Barbara Lowe at (202) 418-0310. Internet URL:

[https://www.fcc.gov/Bureaus/Miscellaneous/Public\\_Notices/Exparte/1999/ex990511.html](https://www.fcc.gov/Bureaus/Miscellaneous/Public_Notices/Exparte/1999/ex990511.html)

Report No: 2040. Released: May 11, 1999. WIRELESS TELECOMMUNICATIONS BUREAU WEEKLY RECEIPTS AND DISPOSALS.

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## TEXTS

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SOUTH BEND AND EKLHART, IN. Found Hicks Broadcasting of Indiana, licensee of WRBR(FM), South Bend, and Pathfinder Communications Corp., licensee of WBYT(FM), Elkhart, IN, qualified to remain licensees; ordered Hicks to forfeit \$20,000 and Pathfinder to forfeit \$30,000 for rules violations. Action by Chief, Administrative Law Judge. Adopted: May 9, 1999. by Initial Decision. (FCC No. 99D-2). ALJ

TIME WARNER CABLE. Denied petition by Frank J. Vitale d/b/a Fal-Comm Communications for reconsideration of Fal-Comm Communications v. Time Warner Cable, 12 FCC Rcd 18089. Action by Chief,

Cable Services Bureau. Adopted: May 4, 1999. by Order. (DA No. 99-843). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990843.wp>

TIME WARNER CABLE. Denied complaint filed against Time Warner Cable February 1, 1999 rate increase for its cable programming service tier in Western Brooklyn, Eastern Queens, Western Queens and Southern Queens, NY. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 5, 1999. by Order. (DA No. 99-879). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990879.wp>

TIME WARNER CABLE. Denied complaint filed against Time Warner Cable January 1, 1999 rate increase for its cable programming service tier in Gresham, Wood Village, Troutdale, Fairview and Multnomah County, OR. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 5, 1999. by Order. (DA No. 99-880). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990880.wp>

CABLEVISION SYSTEMS. Denied complaint filed against the January 1, 1999 cable programming services tier increase in multiple communities of New York, NY. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 6, 1999. by Order. (DA No. 99-875). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990875.wp>

FALCON CABLE SYSTEMS. Denied complaint filed against the January 13, 1999 cable programming services tier rate increase in Carmel Highlands and Monterey North, CA. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 6, 1999. by Order. (DA No. 99-874). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990874.wp>

FALCON CABLE SYSTEMS. Denied complaint filed against Falcon Cable systems January 13, 1999 rate increase for its cable programming service tier in Rancho Tierra Grande and Laguna Seca, CA. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 7, 1999. by Order. (DA No. 99-881). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990881.wp>

TIME WARNER COMMUNICATIONS. Denied complaint filed against the January 1, 1999 cable programming services tier increase in Tampa, FL. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 4, 1999. by Order. (DA No. 99-848). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990848.wp>

TIME WARNER COMMUNICATIONS. Denied complaint filed against the January 1, 1999 cable programming services tier rate increase in Portland, OR. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 7, 1999. by Order. (DA No. 99-876). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990876.wp>

TIME WARNER COMMUNICATIONS. Denied complaint filed against the January 1, 1999 cable programming services tier rate increase in Cary, NC. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 4, 1999. by Order. (DA No. 99-849). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990849.wp>

SUBURBAN CABLE TV COMPANY, INC. Granted complaints filed against the cable programming services tier rates in Somers Point, NY. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 7, 1999. by Order. (DA No. 99-878). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990878.wp>

CABLEVISION SYSTEMS CORPORATION. Denied complaint filed against the January 1, 1999 cable programming services tier rate increase in Harrison, NY. Action by Acting Chief, Financial Analysis and Compliance Division. Adopted: May 7, 1999. by Order. (DA No. 99-877). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Orders/1999/da990877.wp>

VIRGINIA RSA 6 CELLULAR LIMITED PARTNERSHIP. Approved a settlement agreement between Shenandoah Mobile Telephone Company and Virginia RSA 6 Cellular Limited Partnership. Action by Chief,

Policy and Rules Branch. Adopted: May 11, 1999. by Order. (DA No. 99-840). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da990840.wp>

**ADDENDA: The following items, released May 10, 1999, did not appear in Digest No. 88:**

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### NEWS RELEASES

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"STATEMENT OF WILLIAM E. KENNARD, CHAIRMAN, FCC, WEST LAWN, THE WHITE HOUSE, MAY 10 . Contact: Joy Howell at (202) 418-0500. OCH." Internet URL: <https://www.fcc.gov/Speeches/Kennard/Statements/stwek927.html>

FCC CHAIRMAN WILLIAM E. KENNARD ESTABLISHES TASK FORCE TO MONITOR AND ASSIST IN THE ROLL-OUT OF THE V-CHIP, TO BE CHAIRED BY COMMISSIONER GLORIA TRISTANI. Contact: Joy Howell at (202) 418-0500. OCH. Internet URL: [https://www.fcc.gov/Bureaus/Miscellaneous/News\\_Releases/1999/nrmc9026.html](https://www.fcc.gov/Bureaus/Miscellaneous/News_Releases/1999/nrmc9026.html)

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### PUBLIC NOTICES

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Report No: B-99. Released: May 10, 1999. AM BROADCAST APPLICATIONS ACCEPTED FOR FILING AND NOTIFICATION OF JUNE 11 CUT-OFF DATE. Internet URL: [https://www.fcc.gov/Bureaus/Mass\\_Media/Public\\_Notices/Radio\\_Cutoffs/pnmm9077.wp](https://www.fcc.gov/Bureaus/Mass_Media/Public_Notices/Radio_Cutoffs/pnmm9077.wp)

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MACKINAC CELLULAR CORP. Granted Mackinac's application for major modification of station KNKN858 Michigan 2 - Alger RSA Market 473A. Action by Chief, Policy and Rules Branch. Adopted: May 10, 1999. by Order. (DA No. 99-886). WTB Internet URL: <https://www.fcc.gov/Bureaus/Wireless/Orders/1999/da990886.wp>

**ADDENDA: The following items, released May 7, 1999, did not appear in Digest No. 87:**

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### TEXTS

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US WEST COMMUNICATIONS, INC. V. FRONTIER TELEMAGEMENT, INC. ET AL. Granted joint motion of US West, et al to dismiss formal complaint regarding payphone compensation. Action by Deputy Chief, Formal Complaints and Investigations Branch. Adopted: May 7, 1999. by Order. (DA No. 99-882). CCB Internet URL: [https://www.fcc.gov/Bureaus/Common\\_Carrier/Orders/1999/da990882.wp](https://www.fcc.gov/Bureaus/Common_Carrier/Orders/1999/da990882.wp)

REPORT ON CABLE INDUSTRY PRICES. The results of 1999 survey of cable prices indicate that prices rose both for the competitive and noncompetitive groups. As of July 1, 1997, the noncompetitive group, on average, charged \$28.56 per month compared with \$27.15 for the competitive group, a differential of \$1.41 or 5.2%. As

of July 1, 1998, the average monthly rate of the noncompetitive group, rose by 6.9% to \$30.53, and for the competitive group, rose by 5.8% to \$28.71, a differential between competitive and noncompetitive of \$1.82, or 6.3%, as of that date. Both the competitive and noncompetitive groups offered subscribers more channels. Regulated operators, on average, offer more channels than unregulated operators, and subscribers of regulated operators pay significantly less on a per channel basis than subscribers purchasing services from noncompetitive unregulated operators. Action by the Commission. Adopted: May 5, 1999. by Report. (FCC No. 99-91). CSB Internet URL: <https://www.fcc.gov/Bureaus/Cable/Reports/fcc99091.wp>